

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

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OREGON & SOUTHWEST  
WASHINGTON IBEW-NECA  
ELECTRICAL WORKERS AUDIT  
COMMITTEE, et al.,

No. CV04-1851-JE

Plaintiffs,

OPINION AND ORDER

v.

CONTACT ELECTRIC &  
HARDWARE, INC. et al.,

Defendants.

**MOSMAN, J.,**

On December 13, 2005, Magistrate Judge Jelderks issued Findings and Recommendation ("F&R") (#53) in the above-captioned case recommending that plaintiffs' motion for summary judgment (#26) be granted in part and denied in part. No objections were filed.

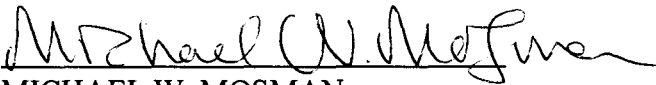
The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United*

*States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Jelderk's recommendation to GRANT IN PART and DENY IN PART plaintiffs' motion, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 15<sup>th</sup> day of February, 2006.

  
MICHAEL W. MOSMAN  
United States District Court